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Rule for H.R. 310, Broadcast Decency Enforcement Act of 2005

Mr. Speaker, I rise today in support of the underlying bill, but I am disappointed that the rule will not let us engage today in the debate that this House and our country desperately need to have, a debate about how the lack of standards in the broadcast media is threatening some of our most basic democratic values.

The underlying bill, which I supported last year and intend to support again today, addresses a very narrow part of the problem of decency within broadcasting. It increases the penalties on media companies who openly flaunt the FCC's rules against obscene broadcasts.

Mr. Speaker, when we give media companies the right to broadcast in our communities on our airwaves, one of the few things we ask in return is they refrain from broadcasting lewd, indecent programs during the hours that children may be listening or watching. That does not seem like a lot to ask, but many media companies seem to find it hard to comply even with the most basic rule, a rule most Americans practice every day in their lives.

Put simply, you do not say crude or offensive things when you are a guest in somebody's home and their children are in the room. This is an American value that we can all embrace, so I would ask why the standards are different for the media. The bottom line is that they should not be.

The FCC has fined a number of broadcast licensees over the past several years for lewd and inappropriate broadcasts, and I hope that the increased penalties in the bill will make these companies think twice before they do it again. But with all the money they make, I doubt that. But refraining from obscene broadcasts does not mean that our media companies are fulfilling their obligation to broadcasts in the public interest. In fact, I would submit that an even greater indecency is the declining standards of fairness, accountability and truth in America's broadcast media today. After all, should we not ensure that our broadcast media present a diversity of views about the most important issues that face the country? Issues upon which our democracy depends should at least be as important as regulating the words and images we allow broadcasters to use in sit-coms and Super Bowl half-time shows.

Sweeps Week stunts only underscore how these large, distant media companies routinely sweep important local news, balance, truth, and objectivity under the rug. I am talking here about core American values, values that most of us were taught as children and practice every day: be accountable for what you say and do; be truthful and fair in your dealings; balance your approach to life. But time and time again, we have failed to demand that mega-media corporations uphold these most basic American values. And all this despite the fact that the same companies use the public airwaves

broadcasting into our homes every night and are the primary tool that most Americans use to learn about the world around them.

Ever since the Reagan administration rescinded the Fairness Doctrine in 1987 our broadcast standards have not only been in just a steep decline but they are fast approaching extinction.

When newspeople present political opinion as hard news with no accountability or fact for truth, I call that indecent. When it becomes common practice to pay members of the media to deceptively advocate a political agenda on public airwaves without disclosure to the public, I call that indecent. When a television broadcaster uses his license to present one-sided, factually erroneous documentaries designed to impact the outcome of a national election without equal time or standard for truth, I call that indecent and dangerous.

And what about the so-called reporter who gained access to the White House press room under dubious circumstances to ask loaded rhetorical questions without even his colleagues, much less his audience, knowing he is a fraud? I call that overwhelmingly indecent.

In a relatively short time, we have abandoned the high ethical standards of truth and objectivity demonstrated by such giants as Edward R. Murrow and Walter Cronkite in favor of the bias of pseudo-journalism demonstrated by Armstrong Williams, Jeff Gannon, and Bill O'Reilly. This is a sure recipe for the dumbing-down of America.

In fact, USA Today reported yesterday that despite the fact that 60 percent of Americans get their news from local television, those same companies have nearly given up covering local political races and issues in recent years. According to the article, in the month leading up to the last election, the one just passed, just 8 percent of the local evening newscasts in 11 of the Nation's largest TV markets devoted time to local races and issues.

Ninety-two of them paid no attention. That is 8 percent. In other words, for every minute of news that they show, they spend 4.8 seconds discussing the issues that shape our neighborhoods, our communities and our families, and for most Americans, that is the only news they will get.

Enough is enough. The public deserves better. The American people know they are being deceived. They are fed up, and they are taking action to do something about it.

Look at the 2 million comments that ordinary Americans sent to the FCC to stop even more media consolidation from taking place last year. The public expects us to do more. They expect us to act in their interests. They expect us to defend and uphold their values, values we should all share: truth, honesty, objectivity and balance. We can do so much more than what we are just discussing here today.

When the committee met to report this rule last night, the gentleman from New York (Mr. Hinchey) and I brought

amendments to the committee that we thought would broaden this debate today into the one we really ought to be having.

The gentleman from New York's (Mr. Hinchey) amendment would have rolled back broadcast media consolidation rules to their pre-2003 levels, and my amendment would restore the fairness doctrine and bring more accountability to the news, but we were rejected.

They only wanted to talk today about decency, and we were not germane to the bill. In a technical sense, they may be correct, but we all know that to have a real debate on what is happening to our culture today, the House would have to talk about the issues our amendments address. Sadly, that will not happen today.

Mr. Speaker, at the end of the debate, I intend to call for a no vote on the previous question so that I may modify the rule to allow for consideration of my amendment on fairness and accountability in broadcasting, and I hope that all Members of this House will join me in voting against the previous question to have this opportunity to restore fairness and accuracy in the media.

I only hope that in the 109th Congress we will have that discussion. Our democracy could very well depend on it.